Republican Senator who supported the filibuster introduced an alternative bill, claiming to offer a solution for victims of pay discrimination. In reality, that partisan alternative proposal would fail to correct the injustice created by the Ledbetter decision. At the Judiciary Committee hearing in September, Ms. Ledbetter confirmed that the alternative bill would not have remedied her case, but instead would have imposed additional burdens and increased the costs of her litigation.

Congress passed Title VII of the Civil Rights Act to protect employees against discrimination with respect to compensation because of an individual's race, color, religion, sex or national origin—however the Supreme Court's cramped interpretation of this important law contradicts Congress's intent to ensure equal pay for equal work.

This Supreme Court decision goes against both the spirit and clear intent of Title VII of the Civil Rights Act, and sends the message to employers that wage discrimination cannot be punished as long as it is kept under wraps. At a time when one-third of private sector employers have rules prohibiting employees from discussing their pay with each other, the Court's decision ignores a reality of the workplace—pay discrimination is often intentionally concealed by employers.

Equal pay is not just a women's issue, it is a family issue. With a record 70.2 million women in the workforce, wage discrimination continues to hurt the majority of American families. As a working mother, the discrimination inflicted on Ms. Ledbetter affected her entire family and continues to affect her retirement benefits. As the economy continues to worsen, many Americans are struggling to put food on the table and money in their retirement funds. It is regrettable that recent decisions handed down by the Supreme Court and Federal appellate courts have contributed to the financial struggles of so many women and their families. In the next weeks, I hope we can act to overturn the wrongly-decided Ledbetter decision to prevent the devastating consequences of pay discrimination.

By Mr. UDALL of Colorado (for himself and Mr. SALAZAR:

S. 187. A bill to provide for the construction of the Arkansas Valley Conduit in the State of Colorado; to the Committee on Energy and Natural Resources.

Mr. UDALL of Colorado. Mr. President, today I am introducing four bills, S. 187, S. 188, S. 189, S. 190, that will preserve and protect majestic public landscapes in Colorado and help provide needed water supplies to communities and farmers on Colorado's productive Eastern Plains. These bills were introduced in the last session of Congress, where they each had hearings and one passed the U.S. House of Representatives. I hope that we can work together to move these bills in this Congress and see them signed into law.

I ask unanimous consent that the text of all four bills be included in the RECORD and be printed alongside these remarks.

The first bill is the Arkansas Valley Conduit Act of 2009. This bill will help protect the water supply for the Arkansas River Valley's communities and its productive agricultural lands by advancing the construction of the long-planned Arkansas Valley Conduit. The bill will restructure the cost-share provisions of the project and is similar to legislation introduced in the last Congress by Senators Wayne Allard and KEN SALAZAR and introduced yesterday in the U.S. House of Representatives by Reps. JOHN SALAZAR and BETSY MARKEY.

The Arkansas Valley Conduit, a proposed 130-mile water delivery system from the Pueblo Dam to communities throughout the Arkansas River Valley, was originally authorized in 1962 as part of the Fryingpan-Arkansas, Fry-Ark, project. Unfortunately, the authorization did not include a Federal-local cost-share provision necessary to cover the estimated $300 million in construction costs, and local communities—especially those in southern Colorado—do not have the resources to shoulder all of the costs. The project has thus remained unfinished for over 4 years.

The bill will provide for a 65–35 Federal-local cost-share for completion of the project, with revenues from so-called ''excess-capacity'' contracts for water storage in other Fry-Ark project facilities being used to fund the majority of the local contribution. This approach is the result of close collaboration between community stakeholders and the Colorado congressional delegation and will ensure communities in the Arkansas River Valley can finance their portion of the project without incurring unbearable financial burdens.

Moreover, the bill will allow the Bureau of Reclamation to move forward with the construction of the Conduit. The depressed economic status of southeastern Colorado made it a difficult financial undertaking for the region, a challenge that continues today. This bill will help see this facility become a reality and thereby help the farming and ranching communities in the valley continue to produce needed food and fiber for the state and Nation.

The second bill I am introducing today is the Colorado Northern Front Range Mountain Backdrop Protection Study Act. I introduced similar bills in the U.S. House of Representatives in the 107th, 108th, 109th and 110th Congresses. In previous Congresses, the bill passed the House and the Senate Energy and Natural Resources Committee but did not receive final action.

The bill is intended to help local communities identify ways to protect the Front Range Mountain Backdrop in the northern Denver-metro area and the region just west of Rocky Flats. The Arapaho-Roosevelt National Forest includes much of the land in this backdrop area, but there are other lands involved as well.

Rising dramatically from the Great Plains, the Front Range of the Rocky Mountains provides a scenic mountain backdrop to many communities in the Denver metropolitan area and elsewhere in Colorado. The portion of the range within and adjacent to the Arapaho-Roosevelt National Forest also includes a diverse array of wildlife habitats and provides many opportunities for outdoor recreation. The open-space character of this mountain backdrop is an important aesthetic and economic asset for adjoining communities, making them attractive locations for homes and businesses. But rapid population growth in the northern Front Range area of Colorado is increasing recreational use of the Arapaho-Roosevelt National Forest and is also increasing pressure for development of other lands within and adjacent to that national forest.

We can see the effects of rapid population growth throughout Colorado and especially along the Front Range. Homes and shopping centers are sprawling through valleys and along highways that feed into the Front Range. This development then spreads out along the ridges and mountaintops that make up the backdrop. We are in danger of losing to development many of the qualities that have helped attract new residents to Colorado. So, it is important to better understand what steps might be taken to avoid or lessen that risk—and this bill is designed to help us do just that.

Already, local governments and other entities have provided important protection for portions of this mountain backdrop, especially in the northern Denver-metro area. However, some portions of the backdrop in this part of Colorado remain unprotected and are at risk of losing their open-space qualities. This bill acknowledges the good work of the local communities in preserving open space along the backdrop and aims to assist further efforts along the same lines.

The bill directs the U.S. Forest Service to study the ownership patterns of the lands comprising the Front Range mountain backdrop, identify areas that are at risk, and recommend to Congress how these lands might be protected and how the Federal Government could help local communities and residents to achieve that goal. Importantly, I note that the bill does not interfere with the power of local authorities regarding land use planning or infringe on private property rights. Instead, it will bring the land protection experience of the Forest Service

to the table to assist local efforts to protect areas that comprise the backdrop. The bill envisions that to the extent the Forest Service should be involved with Federal lands, it will work in collaboration with local communities, the state and private parties.

I strongly believe it is in the national interest for the Federal Government to assist local communities to identify ways to protect the mounatin backdrop in this part of Colorado. The backdrop beckoned settlers westward and presented an imposing impediment to their forward progress that suggested similar challenges ahead. This first exposure to the harshness and humbling majesty of the Rocky Mountain West helped define a region. The pioneers' independent spirit and respect for nature still lives with us to this day. We need to work to preserve it by protecting the mountain backdrop as a cultural and natural heritage for ourselves and generations to come.

The third bill I am introducing today—the National Trails System Willing Seller Act—will allow people who want to sell land for inclusion in certain units of the National Trails System to do so. Current law prohibits people who own land associated with several units of the trail system from selling those lands to the Federal Government for inclusion in those units. This bill will allow such sales to happen.

This legislation is identical to bills introduced in previous Congresses by my former Republican colleagues from Colorado, Representatives Beauprez and McInnis. The Trail System units covered by the bill are the Oregon National Historic Trail, the Mormon Pioneer National Historic Trail, the Continental Divide National Scenic Trail, the Lewis and Clark National Historic Trail, the Iditarod National Historic Trail, the North County National Scenic Trail, the Ice Age National Scenic Trail, the Potomac Heritage National Scenic Trail, and the Nez Perce National Historic Trail.

Our national trails are a national treasure, and we should allow people who own land along these trails to sell that land to the Federal Government to be part of our public lands legacy. But it is important to make clear that these land sales are from willing sellers, which is what this bill will do. This bill makes a small but important adjustment to current law, and I think it deserves the support of all Members of the Senate.

The final bill I am introducing today is the Rocky Mountain National Park Wilderness and Indian Peaks Wilderness Expansion Act, which will designate nearly 250,000 acres of Rocky Mountain National Park as wilderness. I introduced this bill in the 110th Congress as a member of the House of Representatives. It was cosponsored in the Senate by my colleague Senator KEN SALAZAR, and eventually by the Colorado Congressional delegation. Over a period of months, we worked together to develop this bipartisan legislation that will provide important protection and management direction for some truly remarkable country. This is a public lands policy goal that goes back to the 1960s, and is long overdue.

This bill is consistent with the Colorado Congressional delegation's efforts in the last Congress to strike a balance in protecting the park and the water users who rely on the Grand River Ditch. This carefully negotiated language met the needs of those users, but questions have been raised about the particular way that liability and water use issues were addressed in the delegation bill. Specifically, there have been questions about how these provisions work in the context of the Park Resources Protection Act. While I am confident that my bill addresses these liability concerns, I appreciate the recent efforts by Senator SALAZAR to offer a slightly different approach that provides a path to a widely-shared goal that has broad support in Colorado.

The wilderness designation in this bill for the park will cover some 94 percent of the park, including Longs Peaks and other major mountains along the Great Continental Divide, glacial cirques and snow fields, broad expanses of alpine tundra and wet meadows, old-growth forests, and hundreds of lakes and streams, all untrammeled by human structures or passage. Indeed, examples of all the natural ecosystems that make up the splendor of the park are included in the wilderness that will be designated by this bill. At the same time, the wilderness boundaries have been drawn so as to allow continued access for use of existing roadways, buildings and developed areas, privately owned land, and areas where additional facilities and roadwork will improve park management and visitor services. In addition, specific provisions are included to ensure that there will be no adverse effects on continued use of existing water facilities.

The lands designated as wilderness will become part of the National Wilderness Preservation System that was established by the Wilderness Act and will be managed in accordance with that Act and the provisions of the bill. The bill's provisions amplify this by specifying that—no new reclamation projects will be allowed in the wilderness area; nothing in the bill will create a ''buffer zone'' around the wilderness and non-wilderness activities visible or audible from within the wilderness will not be prohibited; the National Park Service can act to control fire, insects, and diseases, including use of mechanical tools within the wilderness; and nothing in the bill will reduce or restrict the current authority of the National Park Service to manage the Park's lands and resources.

The bill is similar to measures previously introduced by my predecessor in the House of Representatives, Representative David Skaggs, as well as other bills introduced before that, and legislation I introduced in the 107th, 108th, and 109th Congresses. However, it does include a number of adjustments and refinements that reflect discussion within the Colorado delegation in Congress and with interested parties in Colorado.

Like H.R. 2334 of the 110th Congress, the new bill includes wilderness designation of more than 700 acres in the Twin Sisters area south of Estes Park. These lands were acquired by the United States and made part of the park after submission to Congress of the original wilderness recommendation for the park in the 1970s, and so were not included in that recommendation. They are lands of a wilderness character, and their designation will not conflict with any current uses. On the west side, the town of Grand Lake and Grand County requested that about 650 acres inward from the park boundary around the town be omitted from the wilderness designation in order to allow the park to respond to potential forest fire threats. As was the case previously, this bill accommodates that request.

Also like that previous measure, the bill responds to the request of the Town of Grand Lake, Grand County and the Headwaters Trails Alliance, a group composed of local communities in Grand County that seeks to establish opportunities for mountain biking, and the International Mountain Bicycling Association to omit from wilderness designation an area along the western park boundary, running south along Lake Granby from the town to the park's southern boundary. This will allow the National Park Service to retain the option of authorizing construction of a possible future mountain bike route within this part of the park. Similarly, the bill expands the Indian Peaks Wilderness Area by 1,000 acres in the area south of the park and north of Lake Granby. The lands involved are currently managed as part of the Arapaho National Recreation Area, which is accordingly reduced by about 1,000 acres.

As did the previous bill, this bill includes a section that authorizes the National Park Service to lease an 11-acre property, the Leiffer tract, that was donated to the National Park Service in 1977. Located outside the park's boundaries, it has two buildings, including a house that is listed on the National Register of Historic Places. The Park Service would like to have the option of leasing it, but current law allows leasing only for ''property administered . . . as part of the National Park System,'' and this property does not qualify. The bill allows the Park Service to lease the property as if it were located inside or contiguous to the park.

Also like previous measures, the bill addresses the question of possible impacts on water rights—something that can be a primary point of contention in Congressional debates over designating wilderness areas. It reflects the legal

reality that it has long been recognized under the laws of the United States and Colorado, including a decision of the Colorado Supreme Court, that Rocky Mountain National Park already has extensive Federal reserved water rights arising from the creation of the national park itself. And it reflects the geographic reality that the park sits astride the continental divide, meaning there is no higher land around from which streams flow into the park, and thus there is no possibility of any diversion of water occurring upstream from the park. In recognition of these legal and practical realities, the bill includes a finding that because the park already has these extensive reserved rights to water, there is no need for any additional reservation or appropriation of such right, and an explicit disclaimer that the bill effects any such reservation.

As I mentioned, there are also provisions in this bill that deal with the Grand River Ditch, created before Rocky Mountain National Park was established and partly located within the park. The owners of the ditch are currently working to conclude an agreement with the National Park Service with respect to operation and maintenance of the portion of the ditch within the park, and the bill provides that after conclusion of this agreement the strict liability standard of the Park Resources Protection Act which now applies to any damage to park resources will not apply so long as the ditch is operated and maintained in accordance with the agreement. The owners of the ditch remain liable for damage to park resources caused by negligence or intentional acts, and the bill specifies that it will not limit or otherwise affect the liability of any individual or entity for damages to, loss of, or injury to any park resource resulting from any cause of event occurring before the bill's enactment. In addition, the bill specifies that its enactment will not restrict or otherwise affect any activity relating to the monitoring, operation, maintenance, repair, replacement, or use of the ditch that was authorized or approved by the National Park Service as of the date of the bill's enactment. The bill also provides that use of water transported by the ditch for a main purpose or main purposes other than irrigation will not terminate or adversely affect the ditch's right-of-way.

The matters dealt with in this bill have a long history. The wilderness designations are based on National Park Service recommendations presented to Congress by President Richard Nixon. That they have not been acted on before this reflects the difficult history of wilderness legislation. One Colorado statewide wilderness bill was enacted in 1980, but it took more than a decade before the Colorado delegation and the Congress were finally able, in 1993, to pass a second statewide national forest wilderness bill. Since then, action has been completed on bills designating wilderness in the Spanish Peaks area of the San Isabel National Forest as well as in the Black Canyon of the Gunnison National Park, the Gunnison Gorge, the Black Ridge portion of the Colorado Canyons National Conservation Area, and the James Peak area of the Arapaho-Roosevelt National Forests.

We now need to continue making progress by providing wilderness designations for other deserving lands in Colorado, including lands that are managed by the Bureau of Land Management. And the time is ripe for finally resolving the status of the lands within Rocky Mountain National Park that are dealt with in this bill.

Lands covered by the bill are currently being managed to protect their wilderness character. Formal wilderness designation will no longer leave this question to the discretion of the Park Service, but will make it clear that within the designated areas, there will never be roads, visitor facilities, or other manmade features that interfere with the spectacular natural beauty and wildness of the mountains. This is especially important for a park like Rocky Mountain, which is relatively small by western standards. As nearby land development and alteration has accelerated in recent years, the pristine nature of the park's backcountry becomes an increasingly rare feature of Colorado's landscape. Further, the park's popularity demands definitive and permanent protection for wild areas against possible pressures for development within the park. While only about one tenth the size of Yellowstone National Park, Rocky Mountain National Park sees nearly the same number of visitors each year. At the same time, designating these carefully selected portions of Rocky Mountain as wilderness will make other areas, now restricted under interim wilderness protection management, available for overdue improvements to park roads and visitor facilities.

In summary, the Rocky Mountain National Park Wilderness and Indian Peaks Wilderness Expansion Act will protect some of our Nation's finest wild lands. It will protect existing rights. It will not limit any existing opportunity for new water development. It is bipartisan and will affirm the commitment of all Coloradans to preserving the features that make our State such a remarkable place to live. So, I think it deserves prompt enactment.

Mr. President, I ask unanimous consent that the text of each bill be printed in the RECORD.

There being no objection, the text of the bills was ordered to be printed in the RECORD, as follows:

S. 187

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Arkansas Valley Conduit Act of 2009''.

SEC. 2. ARKANSAS VALLEY CONDUIT, COLORADO.

(a) COST SHARE.—The first section of Public Law 87–590 (76 Stat. 389) is amended in the second sentence of subsection (c) by inserting after ''cost thereof,'' the following: ''or in the case of the Arkansas Valley Conduit, payment in an amount equal to 35 percent of the cost of the conduit that is comprised of revenue generated by payments pursuant to a repayment contract and revenue that may be derived from contracts for the use of Fryingpan-Arkansas project excess capacity or exchange contracts using Fryingpan-Arkansas project facilities,''.

(b) RATES.—Section 2(b) of Public Law 87–590 (76 Stat. 390) is amended—

(1) by striking ''(b) Rates'' and inserting the following:

''(b) RATES.—

''(1) IN GENERAL.—Rates''; and

(2) by adding at the end the following:

''(2) RUEDI DAM AND RESERVOIR, FOUNTAIN VALLEY PIPELINE, AND SOUTH OUTLET WORKS AT PUEBLO DAM AND RESERVOIR.—

''(A) IN GENERAL.—Notwithstanding the reclamation laws, until the date on which the payments for the Arkansas Valley Conduit under paragraph (3) begin, any revenue that may be derived from contracts for the use of Fryingpan-Arkansas project excess capacity or exchange contracts using Fryingpan-Arkansas project facilities shall be credited towards payment of the actual cost of Ruedi Dam and Reservoir, the Fountain Valley Pipeline, and the South Outlet Works at Pueblo Dam and Reservoir plus interest in an amount determined in accordance with this section.

''(B) EFFECT.—Nothing in the Federal reclamation law (the Act of June 17, 1902 (32 Stat. 388, chapter 1093), and Acts supplemental to and amendatory of that Act (43 U.S.C. 371 et seq.)) prohibits the concurrent crediting of revenue (with interest as provided under this section) towards payment of the Arkansas Valley Conduit as provided under this paragraph.

''(3) ARKANSAS VALLEY CONDUIT.—

''(A) USE OF REVENUE.—Notwithstanding the reclamation laws, any revenue derived from contracts for the use of Fryingpan-Arkansas project excess capacity or exchange contracts using Fryingpan-Arkansas project facilities shall be credited towards payment of the actual cost of the Arkansas Valley Conduit plus interest in an amount determined in accordance with this section.

''(B) ADJUSTMENT OF RATES.—Any rates charged under this section for water for municipal, domestic, or industrial use or for the use of facilities for the storage or delivery of water shall be adjusted to reflect the estimated revenue derived from contracts for the use of Fryingpan-Arkansas project excess capacity or exchange contracts using Fryingpan-Arkansas project facilities.''.

(c) AUTHORIZATION OF APPROPRIATIONS.—Section 7 of Public Law 87–590 (76 Stat. 393) is amended—

(1) by striking ''SEC. 7. There is hereby'' and inserting the following:

''SEC. 7. AUTHORIZATION OF APPROPRIATIONS.

''(a) IN GENERAL.—There is''; and

(2) by adding at the end the following:

''(b) ARKANSAS VALLEY CONDUIT.—

''(1) IN GENERAL.—Subject to annual appropriations and paragraph (2), there are authorized to be appropriated such sums as are necessary for the construction of the Arkansas Valley Conduit.

''(2) LIMITATION.—Amounts made available under paragraph (1) shall not be used for the operation or maintenance of the Arkansas Valley Conduit.''.

S. 188

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Colorado Northern Front Range Mountain Backdrop Protection Study Act''.

SEC. 2. PURPOSE.

The purpose of this Act is to identify options that may be available to assist in maintaining the open space characteristics of land that is part of the mountain backdrop of communities in the northern section of the Front Range area of Colorado.

SEC. 3. DEFINITIONS.

In this Act:

(1) SECRETARY.—The term ''Secretary'' means the Secretary of Agriculture, acting through the Chief of the Forest Service.

(2) STATE.—The term ''State'' means the State of Colorado.

(3) STUDY AREA.—

(A) IN GENERAL.—The term ''study area'' means the land in southern Boulder, northern Jefferson, and northern Gilpin Counties, Colorado, that is located west of Colorado State Highway 93, south and east of Colorado State Highway 119, and north of Colorado State Highway 46, as generally depicted on the map entitled ''Colorado Northern Front Range Mountain Backdrop Protection Study Act: Study Area'' and dated August 27, 2008.

(B) EXCLUSIONS.—The term ''study area'' does not include land within the city limits of the cities of Arvada, Boulder, or Golden, Colorado.

(4) UNDEVELOPED LAND.—The term ''undeveloped land'' means land—

(A) that is located within the study area;

(B) that is free or primarily free of structures; and

(C) the development of which is likely to affect adversely the scenic, wildlife, or recreational value of the study area.

SEC. 4. COLORADO NORTHERN FRONT RANGE MOUNTAIN BACKDROP STUDY.

(a) STUDY; REPORT.—Not later than 1 year after the date of enactment of this Act and except as provided in subsection (c), the Secretary shall—

(1) conduct a study of the land within the study area; and

(2) complete a report that—

(A) identifies the present ownership of the land within the study area;

(B) identifies any undeveloped land that may be at risk of development; and

(C) describes any actions that could be taken by the United States, the State, a political subdivision of the State, or any other parties to preserve the open and undeveloped character of the land within the study area.

(b) REQUIREMENTS.—The Secretary shall conduct the study and develop the report under subsection (a) with the support and participation of 1 or more of the following State and local entities:

(1) The Colorado Department of Natural Resources.

(2) Colorado State Forest Service.

(3) Colorado State Conservation Board.

(4) Great Outdoors Colorado.

(5) Boulder, Jefferson, and Gilpin Counties, Colorado.

(c) LIMITATION.—If the State and local entities specified in subsection (b) do not support and participate in the conduct of the study and the development of the report under this section, the Secretary may—

(1) decrease the area covered by the study area, as appropriate; or

(2)(A) opt not to conduct the study or develop the report; and

(B) submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives notice of the decision not to conduct the study or develop the report.

(d) EFFECT.—Nothing in this Act authorizes the Secretary to take any action that would affect the use of any land not owned by the United States.

S. 189

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as ''National Trails System Willing Seller Act''.

SEC. 2. AUTHORITY TO ACQUIRE LAND FROM WILLING SELLERS FOR CERTAIN TRAILS.

(a) OREGON NATIONAL HISTORIC TRAIL.—Section 5(a)(3) of the National Trails System Act (16 U.S.C. 1244(a)(3)) is amended by adding at the end the following: ''No land or interest in land outside the exterior boundaries of any federally administered area may be acquired by the Federal Government for the trail except with the consent of the owner of the land or interest in land. The authority of the Federal Government to acquire fee title under this paragraph shall be limited to an average of not more than ¼ mile on either side of the trail.''.

(b) MORMON PIONEER NATIONAL HISTORIC TRAIL.—Section 5(a)(4) of the National Trails System Act (16 U.S.C. 1244(a)(4)) is amended by adding at the end the following: ''No land or interest in land outside the exterior boundaries of any federally administered area may be acquired by the Federal Government for the trail except with the consent of the owner of the land or interest in land. The authority of the Federal Government to acquire fee title under this paragraph shall be limited to an average of not more than ¼ mile on either side of the trail.''.

(c) CONTINENTAL DIVIDE NATIONAL SCENIC TRAIL.—Section 5(a)(5) of the National Trails System Act (16 U.S.C. 1244(a)(5)) is amended by adding at the end the following: ''No land or interest in land outside the exterior boundaries of any federally administered area may be acquired by the Federal Government for the trail except with the consent of the owner of the land or interest in land. The authority of the Federal Government to acquire fee title under this paragraph shall be limited to an average of not more than ¼ mile on either side of the trail.''.

(d) LEWIS AND CLARK NATIONAL HISTORIC TRAIL.—Section 5(a)(6) of the National Trails System Act (16 U.S.C. 1244(a)(6)) is amended by adding at the end the following: ''No land or interest in land outside the exterior boundaries of any federally administered area may be acquired by the Federal Government for the trail except with the consent of the owner of the land or interest in land. The authority of the Federal Government to acquire fee title under this paragraph shall be limited to an average of not more than ¼ mile on either side of the trail.''.

(e) IDITAROD NATIONAL HISTORIC TRAIL.—Section 5(a)(7) of the National Trails System Act (16 U.S.C. 1244(a)(7)) is amended by adding at the end the following: ''No land or interest in land outside the exterior boundaries of any federally administered area may be acquired by the Federal Government for the trail except with the consent of the owner of the land or interest in land. The authority of the Federal government to acquire fee title under this paragraph shall be limited to an average of not more than ¼ mile on either side of the trail.''.

(f) NORTH COUNTRY NATIONAL SCENIC TRAIL.—Section 5(a)(8) of the National Trails System Act (16 U.S.C. 1244(a)(8)) is amended by adding at the end the following: ''No land or interest in land outside the exterior boundaries of any federally administered area may be acquired by the Federal Government for the trail except with the consent of the owner of the land or interest in land.''.

(g) ICE AGE NATIONAL SCENIC TRAIL.—Section 5(a)(10) of the National Trails System Act (16 U.S.C. 1244(a)(10)) is amended by adding at the end the following: ''No land or interest in land outside the exterior boundaries of any federally administered area may be acquired by the Federal Government for the trail except with the consent of the owner of the land or interest in land.''.

(h) POTOMAC HERITAGE NATIONAL SCENIC TRAIL.—Section 5(a)(11) of the National Trails System Act (16 U.S.C. 1244(a)(11)) is amended—

(1) by striking the fourth and fifth sentences; and

(2) by adding at the end the following: ''No land or interest in land outside the exterior boundaries of any federally administered area may be acquired by the Federal Government for the trail except with the consent of the owner of the land or interest in land.''.

(i) NEZ PERCE NATIONAL HISTORIC TRAIL.—Section 5(a)(14) of the National Trails System Act (16 U.S.C. 1244(a)(14)) is amended—

(1) by striking the fourth and fifth sentences; and

(2) by adding at the end the following: ''No land or interest in land outside the exterior boundaries of any federally administered area may be acquired by the Federal Government for the trail except with the consent of the owner of the land or interest in land. The authority of the Federal Government to acquire fee title under this paragraph shall be limited to an average of not more than ¼ mile on either side of the trail.''.

SEC. 3. CONFORMING AMENDMENT.

Section 10 of the National Trails System Act (16 U.S.C. 1249 is amended by striking subsection (c) and inserting the following:

''(c) AUTHORIZATION OF APPROPRIATIONS.—

''(1) IN GENERAL.—Except as otherwise provided in this Act, there are authorized to be appropriated such sums as are necessary to implement the provisions of this Act relating to the trails designated by section 5(a).

''(2) NATCHEZ TRACE NATIONAL SCENIC TRAIL.—

''(A) IN GENERAL.—With respect to the Natchez Trace National Scenic Trail (referred to in this paragraph as the 'trail') designated by section 5(a)(12)—

''(i) not more than $500,000 shall be appropriated for the acquisition of land or interests in land for the trail; and

''(ii) not more than $2,000,000 shall be appropriated for the development of the trail.

''(B) PARTICIPATION BY VOLUNTEER TRAIL GROUPS.—The administering agency for the trail shall encourage volunteer trail groups to participate in the development of the trail.''.

S. 190

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Rocky Mountain National Park Wilderness and Indian Peaks Wilderness Expansion Act''.

SEC. 2. PURPOSES.

The purposes of this Act are—

(1) to include in the National Wilderness Preservation System certain land within the Rocky Mountain National Park, Colorado, to protect—

(A) the enduring scenic and historic wilderness character and unique wildlife values of the land; and

(B) the scientific, educational, inspirational, and recreational resources, values, and opportunities of the land; and

(2) to adjust the boundaries of the Indian Peaks Wilderness and Arapaho National Recreation Area of the Arapaho National Forest.

SEC. 3. DEFINITIONS.

In this Act:

(1) MAP.—The term ''Map'' means the map entitled ''Rocky Mountain National Park, Colorado Wilderness Boundaries'' and dated September 2006.

(2) PARK.—The term ''Park'' means the Rocky Mountain National Park in the State.

(3) POTENTIAL WILDERNESS LAND.—The term ''potential wilderness land'' means—

(A) the land identified on the Map as potential wilderness; and

(B) any land acquired by the United States on or after the date of enactment of this Act that is—

(i) located within the boundaries of the Park; and

(ii) contiguous with any land designated as wilderness by section 4(a).

(4) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(5) STATE.—The term ''State'' means the State of Colorado.

(6) TRAIL.—The term ''Trail'' means the East Shore Trail established under section 5(a).

(7) WILDERNESS.—The term ''Wilderness'' means the Rocky Mountain National Park Wilderness designated by section 4(a).

SEC. 4. ROCKY MOUNTAIN NATIONAL PARK WILDERNESS.

(a) DESIGNATION.—In furtherance of the purposes of the Wilderness Act (16 U.S.C. 1131 et seq.), there is designated as wilderness and as a component of the National Wilderness Preservation System approximately 249,339 acres of land in the Park, as generally depicted on the Map, which shall be known as the ''Rocky Mountain National Park Wilderness''.

(b) MAP AND BOUNDARY DESCRIPTION.—

(1) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary shall submit to the Committee on Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a map and boundary description of the Wilderness.

(2) AVAILABILITY.—The map and boundary description submitted under paragraph (1) shall be on file and available for public inspection in the Office of the Director of the National Park Service.

(3) CORRECTIONS.—The Secretary may correct clerical and typographical errors in the map and boundary description submitted under paragraph (1).

(4) EFFECT.—The map and boundary description submitted under paragraph (1) shall have the same force and effect as if included in this Act.

(c) INCLUSION OF POTENTIAL WILDERNESS LAND.—

(1) IN GENERAL.—On publication in the Federal Register of a notice by the Secretary that all uses of a parcel of potential wilderness land inconsistent with the Wilderness Act (16 U.S.C. 1131 et seq.) have ceased, the parcel shall be—

(A) included in the Wilderness; and

(B) managed in accordance with this section.

(2) MAP AND BOUNDARY DESCRIPTION.—The Secretary shall modify the map and boundary description prepared under subsection (b) to reflect the inclusion of the parcel in the Wilderness.

(d) EXCLUSION OF CERTAIN LAND.—The boundaries of the Wilderness shall specifically exclude:

(1) The Grand River Ditch (including the main canal of the Grand River Ditch and a branch of the main canal known as the ''Specimen Ditch''), the right-of-way for the Grand River Ditch, land 200 feet on each side of the marginal limits of the Ditch, and any associated appurtenances, structures, buildings, camps, and work sites in existence as of June 1, 1998.

(2) Land owned by the St. Vrain & Left Hand Water Conservancy District, including Copeland Reservoir and the Inlet Ditch to the Reservoir from the North St. Vrain Creek, comprising approximately 35.38 acres.

(3) Lands owned by the Wincentsen-Harms Trust, comprising approximately 2.75 acres.

(4) Land within the area depicted as the ''East Shore Trail Area'' on the map prepared under subsection (b)(1).

(e) ADMINISTRATION.—

(1) IN GENERAL.—Subject to valid existing rights, any land designated as wilderness under subsection (a) or added to the Wilderness after the date of enactment of this Act under subsection (c) shall be administered by the Secretary in accordance with—

(A) the Wilderness Act (16 U.S.C. 1131 et seq.); and

(B) this Act.

(2) EFFECTIVE DATE OF WILDERNESS ACT.—With respect to the land designated as Wilderness by subsection (a) or added to the Wilderness after the date of enactment of this Act under subsection (c), any reference in the Wilderness Act (16 U.S.C. 1131 et seq.) to the effective date of the Wilderness Act shall be deemed to be a reference to the date of enactment of this Act or the date of enactment of the Act adding the land to the Wilderness, respectively.

(3) WATER RIGHTS.—

(A) FINDINGS.—Congress finds that—

(i) according to decisions of the State courts, the United States has existing rights to water within the Park;

(ii) the existing water rights are sufficient for the purposes of the Wilderness; and

(iii) based on the findings described in clauses (i) and (ii), there is no need for the United States to reserve or appropriate any additional water rights to fulfill the purposes of the Wilderness.

(B) NO RESERVATION OF WATER RIGHTS.—Nothing in this Act or any action carried out pursuant to this Act shall constitute an express or implied reservation by the United States of water or water rights for any purpose.

(4) GRAND RIVER DITCH.—

(A) LIABILITY.—Notwithstanding any other provision of law, or any stipulation or applicable agreement, during any period in which the Water Supply and Storage Company (or any successor in interest to the Water Supply and Storage Company with respect to the Grand River Ditch) operates and maintains the portion of the Grand River Ditch within the Park in compliance with an operations and maintenance agreement between the Water Supply and Storage Company and the National Park Service entered into on _____, no individual or entity who owns, controls, or operates the Grand River Ditch shall be liable for any response costs or for any damages to, loss of, or injury to the resources of the Park resulting from any cause or event (including, but not limited to, water escaping from any part of the Grand River Ditch by overflow or as a result of a breach, failure, or partial failure of any portion of the Grand River Ditch, including the portion of the ditch located outside the Park), unless the damages to, loss of, or injury to the resources are proximately caused by the negligence or an intentional act of the individual or entity.

(B) LIMITATION.—Nothing in this section limits or otherwise affects any liability of any individual or entity for damages to, loss of, or injury to any resource of the Park resulting from any cause or event that occurred before the date of enactment of this Act.

(C) EXISTING ACTIVITIES.—Nothing in this Act, including the designation of the Wilderness under this section, shall restrict or otherwise affect any activity (including an activity carried out in response to an emergency or catastrophic event) on, under, or affecting the Wilderness or land excluded under subsection (d)(1) relating to the monitoring, operation, maintenance, repair, replacement, or use of the Grand River Ditch that was authorized or approved by the Secretary as of the date of enactment of this Act.

(D) NO EFFECT.—Notwithstanding any other provision of any previous or existing law, any stipulation, or any agreement, or interpretation thereof, use of water transported by the Grand River Ditch for a main purpose or main purposes other than irrigation shall not terminate or adversely affect the right-of-way of the Grand River Ditch, and such right-of-way shall not be deemed relinquished, forfeited, or lost, solely because such water is used for a main purpose or main purposes other than irrigation.

(5) COLORADO-BIG THOMPSON PROJECT AND WINDY GAP PROJECT.—

(A) EXISTING ACTIVITIES.—Activities (including activities that are necessary because of emergencies or catastrophic events) on, under, or affecting the Wilderness relating to the monitoring, operation, maintenance, repair, replacement, or use of the Alva B. Adams Tunnel at its designed capacity and all other Colorado-Big Thompson Project facilities located within the Park that were allowed as of the date of enactment of this Act under the Act of January 26, 1915 (16 U.S.C. 191)—

(i) shall be allowed to continue; and

(ii) shall not be affected by the designation of the Wilderness under this section.

(B) EFFECT.—Nothing in this Act or the designation of the Wilderness shall prohibit or restrict the conveyance of any water through the Alva B. Adams Tunnel for any purpose.

(C) NEW RECLAMATION PROJECTS.—Nothing in the first section of the Act of January 26, 1915 (16 U.S.C. 191), shall be construed to allow development in the Wilderness of any reclamation project not in existence as of the date of enactment of this Act.

(6) NO BUFFER ZONE.—

(A) IN GENERAL.—Nothing in this Act creates a protective perimeter or buffer zone around the Wilderness.

(B) ACTIVITIES OUTSIDE WILDERNESS.—The fact that a nonwilderness activity or use can be seen or heard from within the Wilderness shall not preclude the conduct of the activity or use outside the boundary of the Wilderness.

(7) FIRE, INSECT, AND DISEASE CONTROL.—In accordance with section 4(d)(1) of the Wilderness Act (16 U.S.C. 1133(d)(1)), the Secretary may take such measures in the Wilderness as are necessary to control fire, insects, and diseases, including the use of mechanized tools, subject to such conditions as the Secretary determines to be desirable.

(8) MANAGEMENT AUTHORITY.—Nothing in this Act shall be construed as reducing or restricting the authority of the Secretary to manage the lands and other resources within the Park pursuant to the Act of January 26, 1915 (16 U.S.C. 191), and other laws applicable to the Park as of the date of enactment of this Act.

SEC. 5. EAST SHORE TRAIL AREA IN ROCKY MOUNTAIN NATIONAL PARK.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary shall establish within the East Shore Trail Area in Rocky Mountain National Park an alignment line for a trail, to

be known as the ''East Shore Trail'', to maximize the opportunity for sustained use of the Trail without causing—

(1) harm to affected resources; or

(2) conflicts among users.

(b) BOUNDARIES.—

(1) IN GENERAL.—After establishing the alignment line for the Trail under subsection (a), the Secretary shall—

(A) identify the boundaries of the Trail, which shall not extend more than 25 feet east of the alignment line or be located within the wilderness area; and

(B) modify the map of the Wilderness prepared under section 4(b)(1) so that the western boundary of the Wilderness is 50 feet east of the alignment line.

(2) ADJUSTMENTS.—To the extent necessary to protect National Park System resources, the Secretary may adjust the boundaries of the Trail, if the adjustment does not place any portion of the Trail within the boundary of the Wilderness.

(c) INCLUSION IN WILDERNESS.—On completion of the construction of the Trail, as authorized by the Secretary—

(1) any portion of the East Shore Trail Area that is not traversed by the Trail, that is not west of the Trail, and that is not within 50 feet of the centerline of the Trail shall be—

(A) included in the Wilderness; and

(B) managed as part of the Wilderness in accordance with section 4; and

(2) the Secretary shall modify the map and boundary description of the wilderness prepared under section 4(b)(1) to reflect the inclusion of the East Shore Trail Area land in the Wilderness.

(d) EFFECT.—Nothing in this section—

(1) requires the construction of the Trail along the alignment line established under subsection (a); or

(2) limits the extent to which any otherwise applicable law or policy applies to any decision with respect to the construction of the Trail.

(e) RELATION TO LAND OUTSIDE WILDERNESS.—

(1) IN GENERAL.—Except as provided in this subsection, nothing in this Act shall affect the management or use of any land not included within the boundaries of the Wilderness or the potential wilderness land.

(2) MOTORIZED VEHICLES AND MACHINERY.—No use of motorized vehicles or other motorized machinery that was not permitted on March 1, 2006, shall be allowed in the East Shore Trail Area except as the Secretary determines to be necessary for use in—

(A) constructing the Trail, if the construction is authorized by the Secretary; or

(B) maintaining the Trail.

(3) MANAGEMENT OF LAND BEFORE INCLUSION.—Until the Secretary authorizes the construction of the Trail and the use of the Trail for non-motorized bicycles, the East Shore Trail Area shall be managed—

(A) to protect any wilderness characteristics of the East Shore Trail Area; and

(B) to maintain the suitability of the East Shore Trail Area for inclusion in the Wilderness.

SEC. 6. INDIAN PEAKS WILDERNESS AND ARAPAHO NATIONAL RECREATION AREA BOUNDARY ADJUSTMENT.

(a) INDIAN PEAKS WILDERNESS BOUNDARY ADJUSTMENT.—Section 3(a) of the Indian Peaks Wilderness Area, the Arapaho National Recreation Area and the Oregon Islands Wilderness Area Act (16 U.S.C. 1132 note; Public Law 95–450) is amended—

(1) by striking ''seventy thousand acres'' and inserting ''74,195 acres''; and

(2) by striking ''dated July 1978'' and inserting ''dated May 2007''.

(b) ARAPAHO NATIONAL RECREATION AREA BOUNDARY ADJUSTMENT.—Section 4(a) of the Indian Peaks Wilderness Area, the Arapaho National Recreation Area and the Oregon Islands Wilderness Area Act (16 U.S.C. 460jj(a)) is amended—

(1) by striking ''thirty-six thousand two hundred thirty-five acres'' and inserting ''35,235 acres''; and

(2) by striking ''dated July 1978'' and inserting ''dated May 2007''.

SEC. 7. AUTHORITY TO LEASE LEIFFER TRACT.

(a) IN GENERAL.—Section 3(k) of Public Law 91–383 (16 U.S.C. 1a–2(k)) shall apply to the parcel of land described in subsection (b).

(b) DESCRIPTION OF THE LAND.—The parcel of land referred to in subsection (a) is the parcel of land known as the ''Leiffer tract'' that is—

(1) located near the eastern boundary of Rocky Mountain National Park in Larimer County, Colorado; and

(2) administered by the National Park Service.

By Mr. NELSON of Florida:

S.J. Res. 4. A joint resolution proposing an amendment to the Constitution of the United States to abolish the electoral college and to provide for the direct popular election of the President and Vice President of the United States; to the Committee on the Judiciary.

Mr. NELSON of Florida. Mr. President, earlier today, the Congress met in a joint session, as it does every 4 years in early January, to conduct the official count of the electoral ballots from the States. Most Americans pay no attention to this ritual, believing that presidential elections in this country get decided on Election Day. But it is the votes of the Electoral College, presented by each State to the Congress, that determine who our next President and Vice President are going to be. We are the beacon of democracy in the world, and yet, voters in this country do not have the opportunity to elect their leaders directly.

Today, I am introducing a constitutional amendment to abolish the Electoral College to allow direct election of the President by popular vote. If the principle of one person, one vote is to mean anything, it is that the candidate who wins a majority of the votes wins the Presidency, and votes for every candidate from every State should count.

On only a few occasions in our history, the candidate who lost the popular vote won the Electoral College and became president. In 2000, George W. Bush actually lost the nationwide popular election to Al Gore by nearly 544,000 votes, yet won the presidency in a Supreme Court showdown over Florida's Electoral College votes that hinged on far fewer disputed State ballots. That dispute undermined Americans' confidence in our democracy and should not be allowed to happen again.

In addition, the Electoral College skews the way candidates for president campaign, causing them to focus only on contested ''battleground States''. As the Miami Herald recognized in an editorial published the day after the 2008 election, the Electoral College is a ''horse-and-buggy-era political contraption,'' which effectively shuts out the majority of Americans—those who don't live in one of the key battleground States—from any meaningful participation in the selection of our President.

A recently released study by FairVote, the Center for Voting and Democracy, documents just how lopsided the Electoral College has made presidential elections: more than 98 percent of all campaign events and more than 98 percent of all campaign spending occurred in 15 large and small battleground States representing 36.6 percent of the Nation's eligible voter population. Of the 300 campaign events by the major presidential candidates held between September 5 and November 4, 2008, fully 57 percent of these events took place in four States—Ohio, Florida, Pennsylvania, and Virginia—representing just 17 percent of the Nation's eligible voters. Voter turnout was 67 percent in the 15 battleground States and only 61 percent in the remaining 35 States.

The simple and straightforward constitutional amendment simply provides for the direct election of the President and Vice President, based on the national popular vote from the 50 States, the U.S. territories, and the District of Columbia.

The proposed amendment also confirms—consistent with the vision of the Framers—that it is within Congress's power to set the time, place and manner—as well as other key criteria—for holding Federal elections. Unlike some proposed constitutional amendments that have been introduced in the past, my proposal does not delve into additional detail by specifying the qualifications for voters or by imposing a majority requirement for an election, leaving those issues for the Congress to address through the legislative process. Rather, the amendment keeps the focus where it belongs—on enshrining in our Constitution the principle of one person, one vote, in the election of our President.

I first introduced this constitutional amendment during the previous Congress, as part of a broader package of reforms that also included measures to make it easier to vote, for example, by encouraging early voting or no-fault absentee voting; to ensure that there is a verifiable paper ballot so that every vote cast gets counted; and to allow voters, not party bosses, to select presidential candidates. I plan to file these other election reforms early in this Congress.

Mr. President, I ask unanimous consent that the text of the joint resolution be printed in the RECORD.

There being no objection, the text of the joint resolution was ordered to be printed in the RECORD, as follows:

S.J. RES. 4

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the following article is proposed as an amendment to the Constitution of the United States, which shall be

valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States within seven years after the date of its submission by the Congress:

''ARTICLE—

''SECTION 1. The President and Vice President shall be jointly elected by the direct vote of the qualified electors of the several States and territories and the District constituting the seat of Government of the United States. The electors in each State, territory, and the District constituting the seat of Government of the United States shall have the qualifications requisite for electors of the most numerous branch of the legislative body where they reside.

''SECTION 2. Congress may determine the time, place, and manner of holding the election, the entitlement to inclusion on the ballot, and the manner in which the results of the election shall be ascertained and declared.''.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 10—RECOGNIZING THE RIGHT OF ISRAEL TO DEFEND ITSELF AGAINST ATTACKS FROM GAZA AND REAFFIRMING THE UNITED STATES' STRONG SUPPORT FOR ISRAEL IN ITS BATTLE WITH HAMAS, AND SUPPORTING THE ISRAELI-PALESTINIAN PEACE PROCESS

Mr. REID (for himself, Mr. MCCONNELL, Mr. KERRY, Mr. LUGAR, Mr. DURBIN, Mr. KYL, Mr. LEVIN, Mr. CHAMBLISS, Mr. LIEBERMAN, Mr. HATCH, Mrs. BOXER, Mr. BOND, Mr. SCHUMER, Mr. DEMINT, Mr. LAUTENBERG, Mr. THUNE, Ms. LANDRIEU, Mr. CRAPO, Mr. MENENDEZ, Mr. MARTINEZ, Ms. MIKULSKI, Mr. NELSON of Florida, Mr. CASEY, Mr. PRYOR, Mr. DORGAN, Mr. CARPER, Mr. BAUCAS, Mr. BAYH. Mr. JOHANNS, Mrs. LINCOLN, Mr. BROWN, and Mr. CARDIN) submitted the following resolution; which was considered and agreed to:

S. RES. 10

Whereas Hamas was founded with the stated goal of destroying the State of Israel;

Whereas Hamas has been designated by the Secretary of State as a Foreign Terrorist Organization;

Whereas Hamas has refused to comply with the requirements of the Quartet (the United States, the European Union, Russia, and the United Nations) that Hamas recognize Israel's right to exist, renounce violence, and agree to accept previous agreements between Israel and the Palestinians;

Whereas, in June 2006, Hamas crossed into Israel, attacked Israeli forces and kidnapped Corporal Gilad Shalit, whom they continue to hold today;

Whereas Hamas has launched thousands of rockets and mortars since Israel dismantled settlements and withdrew from Gaza in 2005;

Whereas Hamas has increased the range of its rockets, reportedly with support from Iran and others, putting additional large numbers of Israelis in danger of rocket attacks from Gaza;

Whereas Hamas locates elements of its terrorist infrastructure in civilian population centers, thus using innocent civilians as human shields;

Whereas Secretary of State Condoleezza Rice said in a statement on December 27, 2008, that ''[w]e strongly condemn the repeated rocket and mortar attacks against Israel and hold Hamas responsible for breaking the ceasefire and for the renewal of violence there'';

Whereas, on December 27, 2008, Prime Minister of Israel Ehud Olmert said, ''For approximately seven years, hundreds of thousands of Israeli citizens in the south have been suffering from missiles being fired at them. . . . In such a situation we had no alternative but to respond. We do not rejoice in battle but neither will we be deterred from it. . . . The operation in the Gaza Strip is designed, first and foremost, to bring about an improvement in the security reality for the residents of the south of the country.'';

Whereas, on January 2, 2009, Secretary of State Rice stated that ''Hamas has held the people of Gaza hostage ever since their illegal coup against the forces of President Mahmoud Abbas, the legitimate President of the Palestinian people. Hamas has used Gaza as a launching pad for rockets against Israeli cities and has contributed deeply to a very bad daily life for the Palestinian people in Gaza, and to a humanitarian situation that we have all been trying to address'';

Whereas the humanitarian situation in Gaza, including shortages of food, water, electricity, and adequate medical care, is becoming more acute;

Whereas Israel has facilitated humanitarian aid to Gaza with over 500 trucks and numerous ambulances entering the Gaza Strip since December 26, 2008;

Whereas, on January 2, 2009, Secretary of State Rice stated that it was ''Hamas that rejected the Egyptian and Arab calls for an extension of the tahadiya that Egypt had negotiated'' and that the United States was ''working toward a cease-fire that would not allow a reestablishment of the status quo ante where Hamas can continue to launch rockets out of Gaza. It is obvious that that cease-fire should take place as soon as possible, but we need a cease-fire that is durable and sustainable''; and

Whereas the ultimate goal of the United States is a sustainable resolution of the Israeli-Palestinian conflict that will allow for a viable and independent Palestinian state living side by side in peace and security with the State of Israel, which will not be possible as long as Israeli civilians are under threat from within Gaza: Now, therefore, be it

Resolved, That the Senate—

(1) expresses vigorous support and unwavering commitment to the welfare, security, and survival of the State of Israel as a Jewish and democratic state with secure borders, and recognizes its right to act in self-defense to protect its citizens against acts of terrorism;

(2) reiterates that Hamas must end the rocket and mortar attacks against Israel, recognize Israel's right to exist, renounce violence, and agree to accept previous agreements between Israel and the Palestinians;

(3) encourages the President to work actively to support a durable, enforceable, and sustainable cease-fire in Gaza, as soon as possible, that prevents Hamas from retaining or rebuilding the capability to launch rockets and mortars against Israel and allows for the long term improvement of daily living conditions for the ordinary people of Gaza;

(4) believes strongly that the lives of innocent civilians must be protected and all appropriate measures should be taken to diminish civilian casualties and that all involved should continue to work to address humanitarian needs in Gaza;

(5) supports and encourages efforts to diminish the appeal and influence of extremists in the Palestinian territories and to strengthen moderate Palestinians who are committed to a secure and lasting peace with Israel; and

(6) reiterates its strong support for United States Government efforts to promote a just resolution of the Israeli-Palestinian conflict through a serious and sustained peace process that leads to the creation of a viable and independent Palestinian state living in peace alongside a secure State of Israel.

SENATE RESOLUTION 11—TO AUTHORIZE PRODUCTION OF DOCUMENTS TO THE DEPARTMENT OF DEFENSE INSPECTOR GENERAL

Mr. REID (for himself and Mr. MCCONNELL) submitted the following resolution; which was considered and agreed to:

S. RES. 11

Whereas, last Congress the Committee on Armed Services conducted a staff inquiry into allegations regarding irregularities in the administration of a contract for logistical support in Iraq by the Department of the Army;

Whereas, upon the completion of the Committee's staff inquiry, the Chairman and Ranking Member referred to the Acting Inspector General of the Department of Defense for review allegations regarding the Administration of this LOGCAP contract;

Whereas, by the privileges of the Senate of the United States and Rule XI of the Standing Rules of the Senate, no evidence under the control or in the possession of the Senate may, by the judicial or administrative process, be taken from such control or possession but by permission of the Senate;

Whereas, when it appears that evidence under the control or in the possession of the Senate may promote the administration of justice, the Senate will take such action as will promote the ends of justice consistent with the privileges of the Senate: Now, therefore, be it

Resolved, That the Chairman and Ranking Member of the Armed Services Committee, acting jointly, are authorized to produce to the Department of Defense Inspector General records of the Committee's staff inquiry into allegations relating to the administration of the Army's LOGCAP contract.

AMENDMENTS SUBMITTED AND PROPOSED

SA 1. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 22, to designate certain land components of the National Wilderness Preservation System, to authorize certain programs and activities in the Department of the Interior and the Department of Agriculture, and for other purposes; which was ordered to lie on the table.

SA 2. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 22, supra; which was ordered to lie on the table.

SA 3. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 22, supra; which was ordered to lie on the table.

SA 4. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 22, supra; which was ordered to lie on the table.

SA 5. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 22, supra; which was ordered to lie on the table.

SA 6. Mr. COBURN submitted an amendment intended to be proposed by him to the